

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, *et al.*,

Plaintiffs,

v.

AMERICAN AIRLINES GROUP INC.
and
JETBLUE AIRWAYS CORPORATION,

Defendants.

Case No.: 1:21-cv-11558-LTS

**NON-PARTIES GLEN HAUENSTEIN, JOSEPH ESPOSITO, AND
DELTA AIR LINES INC.’S MOTION FOR LEAVE TO FILE A REPLY
IN SUPPORT OF THEIR MOTION QUASH TRIAL SUBPOENAS**

Pursuant to L.R. 7.1(b)(3), Non-Parties Glen Hauenstein, Joseph Esposito, and Delta Air Lines, Inc. (“Delta”) (collectively, “Non-Party Movants”) respectfully request leave to file a short reply brief (the “Reply”) in further support of their Motion to Quash Trial Subpoenas to Glen Hauenstein and Joseph Esposito (the “Motion to Quash,” ECF 230).

Good cause exists for the filing of a short reply brief. In particular:

1. Non-Party Movants intend to submit a short Reply (less than 5 pages), attached hereto, addressing Defendants’ new arguments and misstatements of law and fact in their Opposition to Delta’s Motion to Quash (ECF 239). Non-Party Movants seek leave to file this Reply so that the Court may consider the Reply before this Court rules on the Motion to Quash pursuant to the Defendants’ request for an expedited decision by this Court by September 27, 2022.
2. Defendants will not be prejudiced by an order granting Non-Party Movants leave to file a reply in further support of the Motion to Quash, and the interests of justice will be served

by giving Non-Party Movants an opportunity to file a Reply to correct the record before this Court rules on the Motion to Quash.

3. Non-Party Movants' Motion for Leave to File a Reply in Support of their Motion to Quash has not been filed to cause delay (two days after Defendants' Opposition) or for an improper purpose.

4. If the Court grants Non-Party Movants' Motion for Leave to File a Reply in Support of their Motion to Quash, Non-Party Movants will file their Reply on the docket in this case via ECF, or as the Court otherwise instructs.

WHEREFORE, for the foregoing reasons, and for good cause shown, Non-Party Movants Glen Hauenstein, Joseph Esposito, and Delta respectfully request that they be granted leave to file the Reply attached hereto.

Dated: September 25, 2022

Respectfully submitted,

/s/ Michael S. Mitchell

James P. Denvir (*pro hac vice*)
Michael S. Mitchell (*pro hac vice*)
Benjamin Solomon-Schwartz (BBO 688674)
BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
Washington, DC 20005
Telephone: (202) 237-2727
Fax: (202) 237-6131
jdenvir@bsflp.com
mmitchell@bsflp.com
bsolomon-schwartz@bsflp.com

*Counsel for Non-Parties Glen Hauenstein,
Joseph Esposito, and Delta Air Lines, Inc.*

LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), I hereby certify that Non-Parties Delta, Mr. Hauenstein, and Mr. Esposito met and conferred in good faith with counsel for the Defendants regarding the relief requested in this motion. Defendants have informed us they take no position on this motion.

/s/ Michael S. Mitchell

Michael S. Mitchell (*pro hac vice*)
BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
Washington, DC 20005
Telephone: (202) 237-2727
Fax: (202) 237-6131
mmitchell@bsflp.com

*Counsel for Non-Parties Glen Hauenstein,
Joseph Esposito, and Delta Air Lines, Inc.*

CERTIFICATE OF SERVICE

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: September 25, 2022

/s/ Michael S. Mitchell

Michael S. Mitchell (*pro hac vice*)
BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
Washington, DC 20005
Telephone: (202) 237-2727
Fax: (202) 237-6131
mmitchell@bsflp.com

*Counsel for Non-Parties Glen Hauenstein,
Joseph Esposito, and Delta Air Lines, Inc.*